

CITY COUNCIL MINUTES
October 8, 2012

The Honorable Council of the City of Evansville met on regular session at 5:30 p.m. on Monday, October 8, 2012 in the City Council Chambers, Room 301 Civic Center Complex, Evansville, Indiana, with President Connie Robinson presiding. The following business was conducted.

These minutes are not intended to be a verbatim transcript. Audiotapes of this meeting are on file in the City Clerk's Office.

ROLL CALL:

Present: McGinn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, Adams, O'Daniel, Weaver, Robinson.

There being nine (9) members present and zero (0) members absent and nine (9) members representing a quorum, I hereby declare this session of the Common Council officially open.

PLEDGE OF ALLEGIANCE

This evening the pledge of allegiance is led by Councilman Weaver.

Fellow Councilmen and those in the audience, welcome to the October 8, 2012 meeting of the Common Council.

RECOGNITION OF SCHOOLS

COUNCIL ATTORNEY

This evening John Hamilton is our City Council Attorney.

SERGEANT AT ARMS

This evening there is no Sergeant at Arms.

READING AND AMENDMENT OF MINUTES

Is there a motion to approve the minutes of the September 24, 2012 meeting of the Common Council as written?

Councilwoman Mosby moved and Councilman O'Daniel seconded the motion to approve the minutes of the regular meeting of the Common Council held September 24, 2012 as written. Voice vote. So ordered.

REPORTS AND COMMUNICATIONS

IN YOUR OCTOBER 5TH PACKET:

- *City Council Meeting Agenda for October 8, 2012.
- *Committee Meeting Schedule.
- *City Council Meeting Minutes dated September 24, 2012.
- *Area Plan Commission Staff Reports and APC Minutes dated September 13, 2012.
- *Rezoning Ordinances R-2012-20 and R-2012-21.
- *Ordinances G-2012-21, G-2012-22, F-2012-15, F-2012-16 as amended, F-2012-17, F-2012-18, and F-2012-19.
- *Resolutions C-2012-22, C-2012-23, C-2012-24, C-2012-25, C-2012-26 and C-2012-27.
- *Evansville Redevelopment Commission Meeting Minutes from September 18, 2012.
- *City/County Administration Building Schedule of Meetings for October, 2012.

President Robinson: Do I have a motion to receive, file and make these reports and communications part of the minutes of the meeting?

Councilman Friend moved and Councilwoman Mosby seconded the motion to receive, file and make these reports and communications a part of the minutes of the meeting. Voice vote. So ordered.

CONSENT AGENDA

FIRST READING OF ORDINANCES OR RESOLUTIONS

ORDINANCE G-2012-21 **FINANCE** **FRIEND**

An Ordinance amending Chapter 2.25 of the Evansville Municipal Code

ORDINANCE G-2012-22 **PUBLIC WORKS** **M'GINN**

An Ordinance Vacating a part of Bennighof Avenue and a part of Lodge Avenue in the City of Evansville, Indiana

ORDINANCE F-2012-15 **FINANCE** **FRIEND**

An Ordinance of the Common Council of the City of Evansville Allocating the Appropriation of Home Investment Partnerships Program Grant Funds

ORDINANCE F-2012-17 **FINANCE** **FRIEND**

An Ordinance of the Common Council of the City of Evansville, Indiana appropriating monies for the purpose of defraying the expenditures of departments of the City Government for the Fiscal Year beginning January 1, 2013.

ORDINANCE F-2012-18 **FINANCE** **FRIEND**

An Ordinance of the Common Council of the City of Evansville approving and adopting the 2013 Budget for the Port Authority of Evansville

ORDINANCE F-2012-19 **FINANCE** **FRIEND**

An Ordinance of the Common Council of the City of Evansville, Indiana appropriating monies for the purpose of defraying the expenditures of Vanderburgh County Levee Authority of the Fiscal Year beginning January 1, 2013

RESOLUTION C-2012-22 **FINANCE** **FRIEND**

A Resolution of the Common Council of the City of Evansville Ratifying, Confirming, Authorizing and Approving an Agreement between the City of Evansville and Fraternal Order of Police, Evansville Lodge No. 73 Inc. (January 1, 2013 through December 31, 2015)

RESOLUTION C-2012-23 **FINANCE** **FRIEND**

A Resolution of the Common Council of the City of Evansville Ratifying the 2013 Consolidated Housing & Community Development Annual Action Plan

RESOLUTION C-2012-24 **FINANCE** **FRIEND**

A Preliminary Resolution of the Common Council of the City of Evansville declaring an Economic Revitalization Area for Property Tax Phase-In for Redevelopment/Rehabilitation of Real Property and for the Acquisition and Installation of New Information Technology Equipment

RESOLUTION C-2012-25**FINANCE****FRIEND**

A Resolution of the Common Council of the City of Evansville in support of Economic Development Incentives offered to Professional Transportation, Inc. by the City of Evansville to expand operations in the facility at 3700 Morgan Avenue, Evansville, IN

RESOLUTION C-2012-26**FINANCE****FRIEND**

A Resolution of the Common Council of the City of Evansville Confirming the Declaration of an Economic Revitalization Area for Property Tax Phase-In for Redevelopment/Rehabilitation of Real Property (Pioneer Development Services, Inc. 1501 Keller St. Evansville, IN 47710)

ORDINANCE R-2012-20**TO APC****R-5 to C-1**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 400 S.E. 2nd Street

Petitioner: Nicholas Goodman
Owners: Same
Representative: Same
District: Connie Robinson, Ward 4

ORDINANCE R-2012-21**TO APC****M-3 to R-2**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 1614 Missouri Street

Petitioner: Melinda Sanford
Owners: Same
Representative: Earl Sanford
District: Al Lindsey, Ward 6

President Robinson: Is there a motion to adopt the Consent Agenda, First Reading as written?

Councilwoman Mosby moved and Councilwoman Riley seconded the motion to adopt the Consent Agenda, First Reading as written. Voice vote. So ordered.

CONSENT AGENDA**SECOND READING OF ZONING ORDINANCES****ORDINANCE R-2012-17 FROM APC****R-2 to R-3**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 225, 227 and 229 S. Tekoppel Ave., Evansville, Indiana

Petitioner: Robert D. Cavins
Owners: Same
Representative: Same
Council District: Al Lindsey-Ward 6

This petition comes forward with a recommendation for approval from the Area Plan Commission, having 12 affirmative votes and 1 negative vote.

ORDINANCE R-2012-18 FROM APC**M-3 to C-2**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as The South 4.14 Acres of 1501 Keller Street

Petitioner: Pioneer Development Services, Inc.
Owners: Ritzert Co., Inc.
Representative: Krista B. Lockyear
District: Al Lindsey, Ward 6

This petition comes forward with a recommendation for approval from the Area Plan Commission, having 13 affirmative votes.

President Robinson: Is there a motion to adopt the Consent Agenda Second Reading of Zoning Ordinances and to accept the Area Plan Commission Report?

Councilman Friend moved and Councilwoman Mosby seconded the motion to adopt the Consent Agenda Second Reading of Zoning Ordinances and to accept the Area Plan Commission Report. Voice vote. So ordered.

Council now stands at Third Reading, which is final action.

REGULAR AGENDA

THIRD READING OF ZONING ORDINANCES

ORDINANCE R-2012-17 FROM APC

R-2 to R-3

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 225, 227 and 229 S. Tekoppel Ave., Evansville, Indiana

Petitioner: Robert D. Cavins

(Inaudible)

President Robinson: Okay, please state your name and your address sir.

Bill Frost: Bill Frost, 3700 Graff Road.

President Robinson: Would you like to give us some information about this zoning request.

Bill Frost: Well, we have two apartments and the basement apartment has been just our maintenance guy's and he wants to quit doing our maintenance because of his health. He wants just a regular apartment. We thought it was already zoned for three apartments but we found out it hasn't. So we went to the Area Plan Commission and then they told us we had to come here. That's all it is. I mean there is plenty of parking. We have sent out all the letters to the neighbors, the City of Evansville and everybody. We haven't gotten any negative response.

President Robinson: Are there any Council members with any questions? Do we have any remonstrators, anyone in the audience that would want to speak for or against this?

Can I have a motion to adopt Ordinance R-2012-17 and call the roll?

Councilman O'Daniel moved and Councilman Friend seconded the motion to adopt Ordinance R-2012-17 and call the roll.

ROLL CALL

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, Adams, O'Daniel, Weaver, Robinson

President Robinson: There being nine (9) Ayes and zero (0) Nays, Ordinance R-2012-17 is hereby declared adopted. Thank you for staying tonight.

Bill Frost: Okay. Could I just mention one other thing; this has nothing to do with anything except September 30th we had an Evansville, Indiana Day at Bush Stadium. The Cardinals got us 650 tickets and part of the proceeds of each ticket went to the Dream Center. There were 650 people over there. One of the gentlemen was drawn out of the hat and got to throw out the first pitch. Four people got to go down to watch batting practice. Four more people got to go down on the field while the guy was throwing out the first pitch; they were all introduced. Evansville, Indiana Day was recognized on the public address system at Bush Stadium and a couple of people got to go up with Al Raboski in the TV booth for a couple of innings to watch how the game is broadcast.

The Cardinals have already told us...we had people wanting more tickets but that is all the tickets they had. Since it went so well, they said they would give us a thousand next year. We are definitely going to do it. We've already decided we are going to do it again. Everybody that went there, a lot of people called me and said, "Hey, you did a great job and we want to do it again next year".

Right now I would like to invite all of the City Council to the thing because they did ask if there was anybody from the City of Evansville there; they wanted to bring them out too. I promise you I will let you know the date that it is. So thank you very much.

President Robinson: Thank you for the invitation.

Councilman Friend: Bill, do we get a discount on beer?

Bill Frost: Yes. You go up in the Champions Club Room and all the beer and food are free.

Councilman Friend: Follow me there.

Councilwoman Mosby: Don't tell John Friend that.

Bill Frost: I promise you, any City Council member that wants to go up the Champions Club Room that day, I promise you, I can get you passes, free passes. I can get them for you.

President Robinson: Just let us know in plenty of time please.

Bill Frost: Thank you very much.

President Robinson: I guess you do need free stuff, as much time as you are spending on this.

REGULAR AGENDA

THIRD READING OF ZONING ORDINANCES

ORDINANCE R-2012-18 FROM APC

M-3 to C-2

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as The South 4.14 Acres of 1501 Keller Street

Petitioner: Pioneer Development Services, Inc.

Joe Langerak: Good evening ladies and gentlemen, my name is Joe Langerak. I am the attorney representative for Pioneer Development Services. With me today is Terry Keusch, he is the president of the company.

I have condensed my four-hour presentation into five minutes for your benefit tonight. A brief historical background: this is the fourth phase of this development. Phases I and II came before you about four years ago to be rezoned from M-3 to C-2 and you graciously approved that. About two years ago, we came before you with Phase III, which requested the same rezoning, you also graciously approved that, and we appreciate that.

Phases I through III constitute 80 units with a current occupancy of over 95%. The Phase IV that is before you today is going to be a 51-unit facility. Phases I and II contributed about a five million dollar investment into our community and Phase III was about a six million dollar investment into this community. Phase IV is expected to be about a 6.4 million dollar investment into this community.

The rezoning is consistent with the comprehensive plan. It is consistent with the current area conditions. It is desirable for the land use. It is good for the property use and it's a good example of reasonable and appropriate development.

We have it before you today for approval and have received the full recommendation from the APC. I am here to answer questions along with the president of Pioneer if you should have any.

Joe Langerak: That is correct. It is currently a vacant industrial site.

Councilman Weaver: Is it along the Greenway?

Joe Langerak: Yes it is

President Robinson: Any other questions from any other Council members? Is there anyone for or against this?

Joe Langerak: I believe there is one person who would like to speak.

Fred Padget: Thank you and I know it's late so we'll only say a little bit. I am Fred Padget. I live at 2345 Skyline Drive and I represent Westside Improvement Association.

The reason I stayed so long tonight...we worked with this developer before. He is excellent to work with. The things he has created over in the Cedar Hall area, the CHAIN Neighborhood, have been excellent assets to the community. He recently met with the CHAIN Neighborhood Association. I attended that meeting. I can't speak for CHAIN but I can speak for Westside Improvement and we wholeheartedly approve this project.

One other thing I would like to mention. It was just asked if this is near the Greenway and yes, it is. We would like to see the developer work with the City or probably the Parks Department or the Parks Department work with the developer so that there can be a more direct route for this proposed senior housing and perhaps for the other apartments so they could have a more direct route to the Greenway. I think that would be a very inexpensive thing to do and it would be something worthwhile.

Thank you. If there are any questions, I will gladly answer.

President Robinson: Thank you. Okay, Terry Keusch does excellent work. Councilman Lindsey, are you familiar with Mr. Keusch?

Councilman Lindsey: Yeah, I met with him with CHAIN and they are really all on board and they are happy to see to that. He's taken a dilapidated, run-down area and made it into a pretty nice place, plus he has donated land to connect to the Greenway. He had to buy some land from the railroad so they forced him to buy extra land so he actually donated the part he didn't need to make an access. If the Parks Department gets on board; they are kind of overwhelmed. I know they will be overwhelmed if they get Roberts Park. We will talk about that later. But yeah, it's a good thing and he does good work and he incorporates the neighborhood into the planning and he seems to be a pretty good individual.

President Robinson: Well I advise you to establish a relationship with him. He could be an Adrian Brooks of the Sixth Ward.

Councilman Lindsey: Well all I ask is that he has everyone register as democrats that move in. That is the only stipulation I have given him.

President Robinson: Is there a motion to adopt Ordinance R-2012-18 and call the roll?

Councilman Friend moved and Councilwoman Mosby seconded the motion to adopt Ordinance R-2012-18 and call the roll.

ROLL CALL

Ayes: Ayes: McGinn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, Adams, O'Daniel, Weaver, Robinson

President Robinson: There being nine (9) Ayes and zero (0) Nays, Ordinance R-2012-18 is hereby declared adopted.

Joe Langerak: Thank you ladies and gentlemen.

CONSENT AGENDA

SECOND READING OF ORDINANCES OR RESOLUTIONS

ORDINANCE G-2012-19 PUBLIC WORKS

M^cGINN

An ordinance amending Chapter 8.05 (Health and Sanitation) of the Evansville Municipal Code

ORDINANCE G-2012-20 PUBLIC WORKS

M^cGINN

An ordinance to vacate 2 certain platted right-of ways: 1) being all of the 60 foot right of way of N. Elsas Avenue lying between E. Virginia Street on the north and E. Michigan St. on the south and 2) Part of the 15' Public alley lying west of Elsas Ave. and east of the 15' Public alley lying west of Lots 12 and 29 in Block 23 of Heidelbach and Elsas Enlargement within the City of Evansville, Indiana, commonly known as 12-28 (Even) and 102 E. Michigan St. and 17-29 (Odd) and 101 E. Virginia

ORDINANCE F-2012-16 as amended FINANCE

FRIEND

An Ordinance of the Common Council of the City of Evansville authorizing transfers of appropriations, additional appropriations, and repeal and re-appropriation of funds for various city funds

RESOLUTION C-2012-21 ASD

MOSBY

A resolution of the City Council of Evansville, Indiana regarding transfer or exchange of property with Vanderburgh County

COMMITTEE REPORTS:

PUBLIC WORKS COMMITTEE:

CHAIRMAN M^cGINN

Councilman M^cGinn: Yes Madam President, Ordinance G-2012-20 came out of Committee with a 9-0 do pass recommendation. Ordinance G-2012-19 came out of the Public Works Committee this evening with a 9-0 do pass recommendation.

President Robinson: Okay thank you. Finance Committee Chairman Friend.

FINANCE COMMITTEE:

CHAIRMAN FRIEND

Councilman Friend: Yes Madam President, your Finance Committee met this evening to hear Ordinance F-2012-16 as amended twice and it comes forward with a do-pass recommendation.

President Robinson: ASD Committee Chairwoman Mosby

A.S.D. COMMITTEE:

CHAIRWOMAN MOSBY

Councilwoman Mosby: Yes Madam President, your A.S.D. Committee met this evening to hear Resolution C-2012-21 and it also comes forward with a do-pass recommendation.

President Robinson: Thank you. Can I have a motion to accept the Committee Reports and move these to Third Reading?

Councilwoman Mosby moved and Councilman Weaver seconded the motion to accept the Committee Reports and move these Ordinances and this Resolution to Third Reading. Voice vote. So ordered.

REGULAR AGENDA

THIRD READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE G-2012-19 PUBLIC WORKS

M^cGINN

An ordinance amending Chapter 8.05 (Health and Sanitation) of the Evansville Municipal Code

President Robinson: Is there a motion to adopt Ordinance G-2012-19 and call the roll?

Councilman O'Daniel moved and Councilman Lindsey seconded the motion to adopt Ordinance G-2012-19 and call the roll.

ROLL CALL

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, Adams, O'Daniel, Weaver, Robinson

President Robinson: There being nine (9) Ayes and zero (0) Nays, Ordinance G-2012-19 is hereby declared adopted.

REGULAR AGENDA

THIRD READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE G-2012-20 PUBLIC WORKS

McGINN

An ordinance to vacate 2 certain platted right-of ways: 1) being all of the 60 foot right of way of N. Elsas Avenue lying between E. Virginia Street on the north and E. Michigan St. on the south and 2) Part of the 15' Public alley lying west of Elsas Ave. and east of the 15' Public alley lying west of Lots 12 and 29 in Block 23 of Heidelberg and Elsas Enlargement within the City of Evansville, Indiana, commonly known as 12-28 (Even) and 102 E. Michigan St. and 17-29 (Odd) and 101 E. Virginia

President Robinson: Is there a motion to adopt Ordinance G-2012-20 and call the roll?

Councilwoman Riley moved and Councilman Friend seconded the motion to adopt Ordinance G-2012-20 and call the roll.

ROLL CALL

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, Adams, O'Daniel, Weaver, Robinson

President Robinson: There being eight (9) Ayes and zero (0) Nays, Ordinance G-2012-20 is hereby declared adopted.

REGULAR AGENDA

THIRD READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE F-2012-16 as amended FINANCE

FRIEND

An Ordinance of the Common Council of the City of Evansville authorizing transfers of appropriations, additional appropriations and repeal, and re-appropriation of funds for various city funds

President Robinson: Is there a motion to adopt Ordinance F-2012-16 as amended and call the roll?

Councilman Friend moved and Councilman Lindsey seconded the motion to adopt Ordinance F-2012-16 as amended and call the roll.

ROLL CALL

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, Adams, O'Daniel, Weaver, Robinson

President Robinson: There being eight (9) Ayes and zero (0) Nays, Ordinance F-2012-16 as amended is hereby declared adopted.

REGULAR AGENDA

THIRD READING OF ORDINANCES AND RESOLUTIONS

RESOLUTION C-2012-21 ASD

MOSBY

A resolution of the City Council of Evansville, Indiana regarding transfer or exchange of property with Vanderburgh County

President Robinson: Is there a motion to adopt Resolution C-2012-21 and call the roll?

Councilman Friend moved and Councilwoman Riley seconded the motion to adopt Resolution C-2012-21 and call the roll.

ROLL CALL

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, Adams, O'Daniel, Weaver, Robinson

President Robinson: There being eight (9) Ayes and zero (0) Nays, Resolution C-2012-21 is hereby declared adopted.

RESOLUTION DOCKET

RESOLUTION C-2012-27 (DOCKET) FINANCE

FRIEND

A Resolution requesting the Indiana State Board of Accounts to reopen audit.

President Robinson: Okay, we will have discussion.

Councilman Weaver: What is this about?

Counsel Hamilton: I'll make one comment on this. If you are not going to table this then I definitely recommend that you amend it in either Strike #2 or Amend #2 based upon some of the testimony tonight concerning the State Board of Accounts position on other audits.

Councilman Friend: Russ, you'll have to make some comments about this, get your opinion about it.

Counsel Hamilton: I mean I think it is okay to request them to reconvene. I think the City has done that. I don't think you want to be on record of asking them to approve an outside auditor because it's been stated that...

Councilman Friend: Russ, you and I talked about this on the phone. You felt that, as a council, if we came back in and said resounding we want this done that obviously would help you folks out over there in Administration. Now with the testimony we had tonight from I guess Steve Titzer, which indicated that, maybe we will not get a bang for our buck if we have the audit. My question is what do you think? Do you think we need to revise, put in that other language?

Controller Lloyd: I would like you to amend it and take out the language about the outside CPA firm. If you would say yes, we want the State Board to come back and re-audit the City of Evansville, I would think that would carry some weight coming from Council.

Councilman Adams: It seems to me John they are going to come back when they want to and only when they want to.

Councilman Friend: Yeah but usually what happens if Russ's body would tell them we want them back if we can...

Councilman Adams: I don't have any problem with the Resolution. I think they are just going to ignore us. They've got how many people for 7,000 (*Inaudible*). They aren't going to be back until March or April.

Counsel Hamilton: I think what he is recommending is that you amend it and delete #2, the second part of it.

Councilman Adams: I got that.

Councilwoman Riley: I move that we amend it and delete #2.

Councilman McGinn: Second.

President Robinson: Voice vote. So ordered.

Controller Lloyd: Thank you Council.

President Robinson: Now we will act on the Resolution as amended. Are there any questions? Is there anyone in the audience that has any questions or concerns?

President Robinson: Can I have motion to adopt Resolution C-2012-27 as amended?

Councilwoman Mosby moved and Councilman Friend seconded the motion to adopt Resolution C-2012-27 as amended. Voice vote. So ordered.

Controller Lloyd: I will get the address of the head of the State Board of Accounts to the Clerk so she can send that to him.

MISCELLANEOUS BUSINESS

President Robinson: There will be a Finance Committee Meeting next Monday, October 15, 2012 beginning at 5:00 p.m. in Room 301. There will be a regular City Council meeting Monday, October 22, 2012 at 5:30 p.m. Committee meetings will begin at 5:00 p.m. on October 22, 2012.

Is there any other business under Miscellaneous?

Councilman Friend: Isn't it just the budget we will be acting on the 22nd?

President Robinson: Yes on the 22nd. I see a gentleman out there. Do you have anything? You're just hanging out here.

Unidentified Speaker: This is how I like to spend my Monday nights.

President Robinson: Okay, welcome to the crowd.

Councilman Friend: Madam President, we talked about maybe bringing on our own consultant for oversight. At least in the process I think for, maybe the next 12 months to assure that this whole element we are in this transition, we get proper feedback. And we talked about this earlier. The gentleman is a CPA. He's got credentials in Project Management. He has also worked in IT. He is with one of the big outfits here in town. I would strongly recommend that we consider doing this, moving forward and acquiring him. He was going to be here tonight...

Councilman O'Daniel: I think it could be helpful, especially given what Dan from Umbach...I mean, I thought he spoke in a language that made it much more, put me much more at ease about the process that they've been going through. But he'll be gone sometime in the future and it will be nice to have somebody that we can call on for a little expertise.

Councilman Friend: I am sorry. What's that Doc?

Councilman Adams: Will this gentleman give us monthly reports? Quarterly reports?

Councilman Friend: He'll be here on a month-by-month basis or every...anytime we want him. When he thinks it is deemed necessary to come before us, he'd be here.

President Robinson: When will this go into effect John, when are you...

Councilman Friend: I would say as soon as we can get on board because I like to know, myself, I think I speak for all of us, I really do. I think we want to try to avoid any surprises in the future, I really do.

Councilman Lindsey: We've already got the money for it.

Councilman Friend: Oh yeah, we do.

Councilman Lindsey (*Inaudible*) \$100,000

Councilman Friend: Yeah, we've got it.

President Robinson: But that \$100,000 is for next year, isn't it?

Councilman Friend: \$100,000. Well we've got \$20,000 in our budget.

Councilman Adams: And he would send emails just to us and not the Administration?

Unidentified Speaker: Yeah, I like that.

President Robinson: No, I think he would be working closely with the Administration...

Councilman Friend: No, no, it's not my vision to have a kind of a gotcha guy.

Councilman Friend: This individual would work very closely with the Administration.

Councilman McGinn: Do we have his resume'?

Councilman Friend: He can...I told him he needed it. He was going to be here this evening but he had, he (*Inaudible*)

Councilman O'Daniel: I'd like to see a resume'.

Councilman McGinn: I'd like to see a resume'. And then the number on this was what? What were we going to allocate?

Councilman Friend: Well what it is going to be, it's going to be \$20,000 and what he's going to do is he's going to list all the functions that he'll perform.

President Robinson: The scope of duties.

Councilman Friend: The scope of duties.

Controller Lloyd: Is this a contract?

Councilman Friend: I think you're going to be really impressed.

Controller Lloyd: Would this be a contract or an employee?

President Robinson: A contract. This is a contract.

Counsel Hamilton: It would have to be a contract and I'm going to look into your options on a contract because you have limited contractual...

Councilman Adams: And we'll talk about it on the 15th?

Councilman Friend: Pardon me?

Councilman Adams: We'll talk about it on the 15th?

Councilman Friend: Yeah, I think I want him here the 15th.

President Robinson: I think in the midst we missed what John Hamilton was saying. What did you say about contractual...?

Counsel Hamilton: Well, I'll give you your options on how you can contract this out because the City Council has limited contractual powers but I think we'll be able to do this under your right to manage City finances and some powers you have. You may have to sub-contract it through Legal Services but I'll give you some options. If the Council decides this is what you want I can draft up a contract for Council to review and then I'll obviously want to include a copy to Corporation Council to make sure that they are in agreement that...

President Robinson: Well, I think this person will work closely probably with the Controller because this person is going to be our eyes and ears.

Controller Lloyd: Well we will be supplying him with information. So this would not go through SAC Committee, is that what you're saying?

President Robinson: It's a contract, it won't.

Counsel Hamilton: There was a First Reading on tonight. Yeah, it was on First Reading on an ordinance.

Councilman Friend: Well there were so many readings I can't...

Counsel Hamilton: On the internal auditor...I don't know Russ if you've have a chance to see that ordinance.

Controller Lloyd: I saw the ordinance.

Counsel Hamilton: That will be Second and Third Reading on the 22nd.

Controller Lloyd: I mean we can talk about it further then or talk about it before then.

President Robinson: Now for that internal auditor, you're saying you want them to report to us also?

Councilman Friend: Well, *(Inaudible)*. John, explain the statute... *(Inaudible)*...it is kind of dicey.

Counsel Hamilton: It's just...City Council really has no power to hire an employee. All we are saying, we are amending the ordinance of the Controller and adding one provision... *(Inaudible)* that says there will be one employee that *(Inaudible)* internal auditor and that one of that person's duties, among other duties, shall be to report to City Council, to provide all information concerning the City's financial affairs that may be requested by City Council on *(Inaudible)*

President Robinson: So we are adding something to that job description. Would that go back before SAC?

Counsel Hamilton: *(Inaudible)*

Councilman Weaver: Well it's an independent contractor, isn't it?

Councilman O'Daniel: Well, no, no, no. This is somebody in the Controller's Office. I mean the thing is is we are not saying what qualifications that person has to have and I assume it will be somebody...

President Robinson: We are giving them additional responsibility.

Multiple Speakers: *(Inaudible)*

Councilman O'Daniel: But you know if we hire our own independent person to be the eyes and ears then I think they may satisfy the communication.

President Robinson: So then you are saying if you don't think that person...

Councilman O'Daniel: Well then they'll just work together.

Controller Lloyd: I mean we can give an internal auditor's report to City Council if that is what you want.

President Robinson: But that person would still report to the Controller.

Controller Lloyd: Right

President Robinson: If we do have one, I am sure you'll find...

(Inaudible)

President Robinson: I don't know...

Controller Lloyd: I think we just follow state statute on it. I don't think we have a specific...

Councilman Adams: Thank you Russ.

Controller Lloyd: Okay, thank you.

President Robinson: Okay, thank you. Is there anything else under Miscellaneous? Okay, Committee Reports. Finance Committee, Chairman Friend.

COMMITTEE REPORTS:

FINANCE COMMITTEE:

Re: City Budget

Date: October 15, 2012

Time: 5:00 p.m.

Room 301

CHAIRMAN FRIEND

Discussion of Budget issues

FINANCE COMMITTEE:

Re: Ordinance G-2012-21

Date: October 22, 2012

Time: 5:00 p.m.

Notify: John Friend

CHAIRMAN JOHN FRIEND

Amending Chapter 2.25 of the Municipal Code

Adding Section 2.25.020 (Duties to report to City Council)

Re: Ordinance F-2012-15

Date: October 22, 2012

Time: 5:00 p.m.

Notify: DMD – Philip Hooper/Jane Reel

HOME Investment Partnerships

Re: Ordinance F-2012-17

Date: October 22, 2012

Time: 5:05 p.m.

Notify: Russell Lloyd, Controller

City of Evansville Budget for 2013

Re: Ordinance F-2012-18

Date: October 22, 2012

Time: 5:05 p.m.

Notify: Russell Lloyd, Controller

Port Authority Budget for 2013

Re: Ordinance F-2012-19

Date: October 22, 2012

Time: 5:05 p.m.

Notify: Russell Lloyd, Controller

Levee Authority Budget for 2013

Re: Resolution C-2012-26

Date: October 22, 2012

Time: 5:10 p.m.

Notify: Shance Sizemore (GAGE)

Confirming Resolution for Pioneer Development
Tax Phase-In

Re: Resolution C-2012-22 Fraternal Order of Police/City of Evansville
Date: October 22, 2012 Agreement for Jan 1, 2013 to Dec. 31, 2015
Time: 5:15 p.m.
Notify: George Fithian/Carol McMichael

Re: Resolution C-2012-23 Ratifying the 2012 Consolidated Housing and
Date: October 22, 2012 Community Development Annual Action Plan
Time: 5:20 p.m.

Notify: DMD – Philip Hooper/Jane Reel

Re: Resolution C-2012-24 Preliminary Tax Phase-In for Professional
Date: October 22, 2012 Transportation 3700 E. Morgan Avenue

Time: 5:25 p.m.

Notify: Debby Dewey (GAGE)

Re: Resolution C-2012-25 A Resolution in support of Economic Development
Date: October 22, 2012 Incentives offered to Professional Transportation.

Time: 5:25 p.m.

Notify: Debby Dewey (GAGE)

PUBLIC WORKS COMMITTEE:

Re: Ordinance G-2012-22

Date: November 12, 2012

Time: 5:25 p.m.

Notify: Krista Lockyear

CHAIRMAN DAN MCGINN

Petition to Vacate a part of Bennighof and
a part of Lodge Ave.

Councilman McGinn: I would like to alert Council there is a possibility, a good possibility, I might not be able to chair that Committee Meeting. I am going to be out of the country and I just got notification my flight changed.

Councilman Adams: I'll do it for you.

Councilman McGinn: Thank you Dr. Adams.

Councilman Adams: That happens to be the Memorial development of a parking area and their soccer field.

Councilman McGinn: I encourage everyone to drive by there and look what they have done to that neighborhood.

President Robinson: How can the Finance Committee and the Public Works Committee meet at the same time?

Councilman Adams: They will be removing a whole bunch of drug houses and everything.

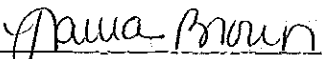
Councilwoman Mosby: They will remove a lot of blight for that.

ADJOURNMENT

President Robinson: Can I have a motion for adjournment?

Councilwoman Mosby moved and Councilwoman Riley seconded the motion to adjourn.
Voice Vote. So Ordered.

Meeting adjourned at 9:45 p.m.



Laura Brown, City Clerk



Constance Robinson, President

AGENDA

ROLL CALL

PLEDGE OF ALLEGIANCE

RECOGNITION OF SCHOOLS

READING AND AMENDMENT OF MINUTES

REPORTS AND COMMUNICATIONS

CONSENT AGENDA

FIRST READING OF ORDINANCES OR RESOLUTIONS

ORDINANCE G-2012-21 FINANCE FRIEND

An Ordinance amending Chapter 2.25 of the Evansville Municipal Code

ORDINANCE G-2012-22 PUBLIC WORKS M^c GINN

An Ordinance Vacating a part of Bennighof Avenue and a part of Lodge Avenue in the City of Evansville, Indiana

ORDINANCE F-2012-15 FINANCE FRIEND

An Ordinance of the Common Council of the City of Evansville Allocating the Appropriation of Home Investment Partnerships Program Grant Funds

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ORDINANCE F-2012-19 FINANCE FRIEND

An Ordinance of the Common Council of the City of Evansville, Indiana appropriating monies for the purpose of defraying the expenditures of Vanderburgh County Levee Authority of the Fiscal Year beginning January 1, 2013

RESOLUTION C-2012-22 FINANCE FRIEND

A Resolution of the Common Council of the City of Evansville Ratifying, Confirming, Authorizing and Approving an Agreement between the City of Evansville and Fraternal Order of Police, Evansville Lodge No. 73 Inc.
(January 1, 2013 through December 31, 2015)

RESOLUTION C-2012-23 **FINANCE** **FRIEND**

A Resolution of the Common Council of the City of Evansville Ratifying the 2013 Consolidated Housing & Community Development Annual Action Plan

RESOLUTION C-2012-24 **FINANCE** **FRIEND**

A Preliminary Resolution of the Common Council of the City of Evansville declaring an Economic Revitalization Area for Property Tax Phase-In for Redevelopment/Rehabilitation of Real Property and for the Acquisition and Installation of New Information Technology Equipment

RESOLUTION C-2012-25 **FINANCE** **FRIEND**

A Resolution of the Common Council of the City of Evansville in support of Economic Development Incentives offered to Professional Transportation, Inc. by the City of Evansville to expand operations in the facility at 3700 Morgan Avenue, Evansville, IN

RESOLUTION C-2012-26 **FINANCE** **FRIEND**

A Resolution of the Common Council of the City of Evansville Confirming the Declaration of an Economic Revitalization Area for Property Tax Phase-In for Redevelopment/Rehabilitation of Real Property (Pioneer Development Services, Inc. 1501 Keller St. Evansville, IN 47710)

ORDINANCE R-2012-20 **TO APC** **R-5 to C-1**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 400 S.E. 2nd Street

Petitioner: Nicholas Goodman
Owners: Same
Representative: Same
District: Connie Robinson, Ward 4

ORDINANCE R-2012-21 **TO APC** **M-3 to R-2**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 1614 Missouri Street

Petitioner: Melinda Sanford
Owners: Same
Representative: Earl Sanford
District: Al Lindsey, Ward 6

CONSENT AGENDA

SECOND READING OF ZONING ORDINANCES

ORDINANCE R-2012-17 FROM APC R-2 to R-3

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 225, 227 and 229 S. Tekoppel Ave., Evansville, Indiana

Petitioner: Robert D. Cavins
Owners: Same
Representative: Same
Council District: Al Lindsey-Ward 6

This petition comes forward with a recommendation for approval from the Area Plan Commission, having 12 affirmative votes and 1 negative vote.

ORDINANCE R-2012-18 FROM APC M-3 to C-2

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as The South 4.14 Acres of 1501 Keller Street

Petitioner: Pioneer Development Services, Inc.
Owners: Ritzert Co., Inc.
Representative: Krista B. Lockyear
District: Al Lindsey, Ward 6

This petition comes forward with a recommendation for approval from the Area Plan Commission, having 13 affirmative votes.

REGULAR AGENDA

THIRD READING OF ZONING ORDINANCES

ORDINANCE R-2012-17 FROM APC R-2 to R-3

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An ordinance amending Chapter 8.05 (Health and Sanitation) of the Evansville Municipal Code

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An ordinance to vacate 2 certain platted right-of ways: 1) being all of the 60 foot right of way of N. Elsas Avenue lying between E. Virginia Street on the north and E. Michigan St. on the south and 2) Part of the 15' Public alley lying west of Elsas Ave. and east of the 15' Public alley lying west of Lots 12 and 29 in Block 23 of Heidelberg and Elsas Enlargement within the City of Evansville, Indiana, commonly known as 12-28 (Even) and 102 E. Michigan St. and 17-29 (Odd) and 101 E. Virginia

ORDINANCE F-2012-16 as amended FINANCE

FRIEND

An Ordinance of the Common Council of the City of Evansville authorizing transfers of appropriations, additional appropriations and repeal and re-appropriation of funds for various city funds

RESOLUTION C-2012-21 ASD

MOSBY

A resolution of the City Council of Evansville, Indiana regarding transfer or exchange of property with Vanderburgh County

REGULAR AGENDA

THIRD READING OF ORDINANCES OR RESOLUTIONS

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MOSBY

A resolution of the City Council of Evansville, Indiana regarding transfer or exchange of property with Vanderburgh County

RESOLUTION DOCKET

RESOLUTION C-2012-27 (DOCKET)

FRIEND

A Resolution requesting the Indiana State Board of Accounts to reopen audit.

MISCELLANEOUS BUSINESS

There will be a Finance Committee Meeting next Monday, October 15, 2012 beginning at 5:00 p.m. in Room 301. There will be a regular City Council meeting Monday, October 22, 2012 at 5:30 p.m. Committee meetings will begin at 5:00 p.m. on October 22, 2012.

ADJOURNMENT

Start time: 9:11 / 9:45

The Honorable Council of the City of Evansville is hereby called to order. Madam Clerk, please call the roll.

ROLL CALL

<u>✓</u> M ^C GINN	<u>✓</u> FRIEND	<u>✓</u> O'DANIEL
<u>✓</u> MOSBY	<u>✓</u> LINDSEY	<u>✓</u> WEAVER
<u>✓</u> BRINKERHOFF-RILEY	<u>✓</u> ADAMS	<u>✓</u> ROBINSON

There being 9 members present, 0 members absent, and 9 members representing a quorum, I hereby declare this session of Common Council officially opened.

PLEDGE OF ALLEGIANCE

This evening the pledge of allegiance will be led by Weaver.

Fellow Councilmen and those in the audience, welcome to the October 8, 2012 meeting of the Common Council.

RECOGNITION OF SCHOOLS

Are there any students in the audience who would like to be recognized?

SCHOOL: X
NAME: X

SCHOOL: X
NAME: X

TEEN ADVISORY COMMITTEE:

X
X
X

COUNCIL ATTORNEY

This evening John Hamilton is City Council Attorney.

SERGEANT AT ARMS

This evening Officer is our Sergeant at Arms.

READING AND AMENDMENT OF MINUTES OF PRECEDING MEETING

Is there a motion to approve the minutes of the September 24, 2012 meeting of the Common Council as written?

Councilman Mosby moved and Councilman O'Daniel seconded the motion that the minutes of the regular meeting of the Common Council held September 24, 2012 be approved as written. Voice vote. ✓ So ordered. ✓

REPORTS AND COMMUNICATIONS
IN YOUR OCTOBER 5TH PACKET:

- *City Council Meeting Agenda for October 8, 2012.
- *Committee Meeting Schedule.
- *City Council Meeting Minutes dated September 24, 2012.
- *Area Plan Commission Staff Reports and APC Minutes dated September 13, 2012.
- *Rezoning Ordinances R-2012-20 and R-2012-21.
- *Ordinances G-2012-21, G-2012-22, F-2012-15, F-2012-16, F-2012-17, F-2012-18,
And F-2012-19.
- *Resolutions C-2012-22, C-2012-23, C-2012-24, C-2012-25, C-2012-26 and C-2012-27.
- *Evansville Redevelopment Commission Meeting Minutes from September 18, 2012.
- *City/County Administration Building Schedule of Meetings for October, 2012.

ON YOUR DESK THIS EVENING:

Councilman Friend moved and Councilman Mosby

seconded the motion to receive, file and make these reports and communications a part of
the minutes of the meeting. Voice vote. ✓ So ordered. ✓

CONSENT AGENDA

FIRST READING OF ORDINANCES OR RESOLUTIONS

ORDINANCE G-2012-21 **FINANCE** **FRIEND**

An Ordinance amending Chapter 2.25 of the Evansville Municipal Code

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Petitioner: Nicholas Goodman
Owners: Same
Representative: Same
District: Connie Robinson, Ward 4

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An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 1614 Missouri Street

Petitioner: Melinda Sanford
Owners: Same
Representative: Earl Sanford
District: Al Lindsey, Ward 6

Is there a motion to adopt the Consent Agenda, First Reading as written?

Councilman Mossy moved and Councilman Riley seconded the

Motion to adopt the Consent Agenda First Reading as written. Voice vote. So ordered.

CONSENT AGENDA

SECOND READING OF ZONING ORDINANCES

ORDINANCE R-2012-17 FROM APC

R-2 to R-3

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 225, 227 and 229 S. Tekoppel Ave., Evansville, Indiana

Petitioner: Robert D. Cavins
Owners: Same
Representative: Same
Council District: Al Lindsey-Ward 6

This petition comes forward with a recommendation for approval from the Area Plan Commission, having 12 affirmative votes and 1 negative vote.

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M-3 to C-2

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Petitioner: Pioneer Development Services, Inc.
Owners: Ritzert Co., Inc.
Representative: Krista B. Lockyear
District: Al Lindsey, Ward 6

This petition comes forward with a recommendation for approval from the Area Plan Commission, having 13 affirmative votes.

Is there a motion to adopt the Consent Agenda Second Reading of Zoning Ordinances and to accept the Area Plan Commission Report?

Councilman Friend moved and Councilman Mosby seconded the motion

to adopt the Consent Agenda Second Reading of Zoning Ordinances and to accept the

Area Plan Commission Report. Voice vote, ✓ So ordered. ✓

Council now stands at Third Reading which is final action.

REGULAR AGENDA

THIRD READING OF ZONING ORDINANCES

ORDINANCE R-2012-17 FROM APC

R-2 to R-3

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana,
more commonly known as 225, 227 and 229 S. Tekoppel Ave., Evansville, Indiana

Petitioner: Robert D. Cavins

Bill Frost

Is there a motion to adopt Ordinance R-2012-17 and call the roll?

Councilman O'Dan moved and Councilman Friend seconded the
motion to adopt Ordinance R-2012-17 and call the roll.

ROLL CALL

<u>✓</u> MCGINN	<u>✓</u> FRIEND	<u>✓</u> O'DANIEL
<u>✓</u> MOSBY	<u>✓</u> LINDSEY	<u>✓</u> WEAVER
<u>✓</u> BRINKERHOFF-RILEY	<u>✓</u> ADAMS	<u>✓</u> ROBINSON

There being 9 Ayes and 0 Nays, Ordinance R-2012-17 is hereby declared
ADOPTED/DENIED.

THIRD READING OF ZONING ORDINANCES

ORDINANCE R-2012-18 FROM APC

M-3 to C-2

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana,
more commonly known as The South 4.14 Acres of 1501 Keller Street

Petitioner: Pioneer Development Services, Inc.

Joe la
~~Terri~~ O'Daniel
Joe
Weaver
Joe
Robinson
Joe
Fred Padgett
Robinson
Lindsey
Robinson
Lindsey

Is there a motion to adopt Ordinance R-2012-18 and call the roll?

Councilman Friend moved and Councilman Mosby seconded the
motion to adopt Ordinance R-2012-18 and call the roll.

ROLL CALL

<u>✓</u> M ^c GINN	<u>✓</u> FRIEND	<u>✓</u> O'DANIEL
<u>✓</u> MOSBY	<u>✓</u> LINDSEY	<u>✓</u> WEAVER
<u>✓</u> BRINKERHOFF-RILEY	<u>✓</u> ADAMS	<u>✓</u> ROBINSON

There being 9 Ayes and 0 Nays, Ordinance R-2012-18 is hereby declared
ADOPTED DENIED.

CONSENT AGENDA

SECOND READING OF ORDINANCES OR RESOLUTIONS

ORDINANCE G-2012-19 PUBLIC WORKS

M^cGINN

An ordinance amending Chapter 8.05 (Health and Sanitation) of the Evansville Municipal Code

ORDINANCE G-2012-20 PUBLIC WORKS

M^cGINN

An ordinance to vacate 2 certain platted right-of ways: 1) being all of the 60 foot right of way of N. Elsas Avenue lying between E. Virginia Street on the north and E. Michigan St. on the south and 2) Part of the 15' Public alley lying west of Elsas Ave. and east of the 15' Public alley lying west of Lots 12 and 29 in Block 23 of Heidelberg and Elsas Enlargement within the City of Evansville, Indiana, commonly known as 12-28 (Even) and 102 E. Michigan St. and 17-29 (Odd) and 101 E. Virginia

ORDINANCE F-2012-16 as amended FINANCE

FRIEND

An Ordinance of the Common Council of the City of Evansville authorizing transfers of appropriations, additional appropriations and repeal and re-appropriation of funds for various city funds

RESOLUTION C-2012-21 ASD

MOSBY

A resolution of the City Council of Evansville, Indiana regarding transfer or exchange of property with Vanderburgh County

COMMITTEE REPORTS:

PUBLIC WORKS COMMITTEE:

CHAIRMAN M^cGINN

Councilman M^cGinn: Madam President, your Public Works Committee met this evening to hear Ordinances G-2012-19 and G-2012-20 and they come forward with a (do pass/do not pass) recommendation.

FINANCE COMMITTEE:

CHAIRMAN FRIEND

Councilman Friend: Madam President, your Finance Committee met this evening to hear Ordinance F-2012-16 as amended and it comes forward with a (do pass/do not pass) recommendation.

A.S.D. COMMITTEE:

CHAIRWOMAN MOSBY

Councilwoman Mosby: Madam President, your A.S.D. Committee met this evening to hear Resolution C-2012-21 and it comes forward with a (do pass/do not-pass) recommendation.

Councilman Mosby moved and Councilman Weaver seconded the motion to accept the committee reports and move these ordinances and resolutions to the Third Reading. Voice vote. So ordered.

REGULAR AGENDA

THIRD READING OF ORDINANCES OR RESOLUTIONS

ORDINANCE G-2012-19 PUBLIC WORKS

M^cGINN

An ordinance amending Chapter 8.05 (Health and Sanitation) of the Evansville Municipal Code

Is there a motion to adopt Ordinance G-2012-19 and call the roll?

Councilman O'Daniel moved and Councilman Lindsey seconded the motion to adopt Ordinance G-2012-19 and call the roll.

ROLL CALL

✓ M^cGINN

✓ FRIEND

✓ O'DANIEL

✓ MOSBY

✓ LINDSEY

✓ WEAVER

✓ BRINKERHOFF-RILEY

✓ ADAMS

✓ ROBINSON

There being 9 Ayes and 0 Nays, Ordinance G-2012-19 is hereby declared ADOPTED/DENIED.

REGULAR AGENDA

THIRD READING OF ORDINANCES OR RESOLUTIONS

ORDINANCE G-2012-20 PUBLIC WORKS

M^cGINN

An ordinance to vacate 2 certain platted right-of ways: 1) being all of the 60 foot right of way of N. Elsas Avenue lying between E. Virginia Street on the north and E. Michigan St. on the south and 2) Part of the 15' Public alley lying west of Elsas Ave. and east of the 15' Public alley lying west of Lots 12 and 29 in Block 23 of Heidelberg and Elsas Enlargement within the City of Evansville, Indiana, commonly known as 12-28 (Even) and 102 E. Michigan St. and 17-29 (Odd) and 101 E. Virginia

Is there a motion to adopt Ordinance G-2012-20 and call the roll?

Councilman Riley moved and Councilman Friend seconded the motion to adopt Ordinance G-2012-20 and call the roll.

ROLL CALL

✓ M^cGINN

✓ FRIEND

✓ O'DANIEL

✓ MOSBY

✓ LINDSEY

✓ WEAVER

✓ BRINKERHOFF-RILEY

✓ ADAMS

✓ ROBINSON

There being 9 Ayes and 0 Nays, Ordinance G-2012-20 is hereby declared
ADOPTED/DENIED.

REGULAR AGENDA

THIRD READING OF ORDINANCES OR RESOLUTIONS

ORDINANCE F-2012-16 as amended FINANCE FRIEND

An Ordinance of the Common Council of the City of Evansville authorizing transfers of appropriations, additional appropriations and repeal and re-appropriation of funds for various city funds

Is there a motion to adopt Ordinance F-2012-16 as amended and call the roll?

Councilman Friend moved and Councilman Lindsey seconded the motion to adopt Ordinance F-2012-16 as amended and call the roll.

ROLL CALL

✓ M^cGINN

✓ FRIEND

✓ O'DANIEL

✓ MOSBY

✓ LINDSEY

✓ WEAVER

✓ BRINKERHOFF-RILEY

✓ ADAMS

✓ ROBINSON

There being 9 Ayes and 0 Nays, Ordinance F-2012-16 is hereby declared
ADOPTED/DENIED.

REGULAR AGENDA

THIRD READING OF ORDINANCES OR RESOLUTIONS

RESOLUTION C-2012-21 ASD

MOSBY

A resolution of the City Council of Evansville, Indiana regarding transfer or exchange of property with Vanderburgh County

Is there a motion to adopt Resolution C-2012-21 and call the roll?

Councilman Friend moved and Councilman Riley seconded the motion to adopt Resolution C-2012-21 and call the roll.

ROLL CALL

✓ MCGINN

✓ FRIEND

✓ O'DANIEL

✓ MOSBY

✓ LINDSEY

✓ WEAVER

✓ BRINKERHOFF-RILEY

✓ ADAMS

✓ ROBINSON

There being 9 Ayes and 0 Nays, Resolution C-2012-21 is hereby declared
ADOPTED/DENIED.

RESOLUTION DOCKET

RESOLUTION C-2012-27 (DOCKET)

FRIEND

A Resolution requesting the Indiana State Board of Accounts to reopen audit.

DISCUSSION:

Amended

Strime #2

** as Amended **
Is there a motion to adopt Resolution C-2012-27?

Councilman Mosby moved and Councilman Friend seconded the motion to adopt Resolution C-2012-27. Voice vote. _____ So ordered. _____

OR CALL THE ROLL

ROLL CALL

____ M^cGINN

____ FRIEND

____ O'DANIEL

____ MOSBY

____ LINDSEY

____ WEAVER

____ BRINKERHOFF-RILEY

____ ADAMS

____ ROBINSON

There being 9 Ayes and 0 Nays, Resolution C-2012-27 is hereby declared ADOPTED/DENIED.

MISCELLANEOUS BUSINESS

There will be a Finance Committee Meeting next Monday, October 15, 2012 beginning at 5:00 p.m. in Room 301. There will be a regular City Council meeting Monday, October 22, 2012 at 5:30 p.m. Committee meetings will begin at 5:00 p.m. on October 22, 2012.

COMMITTEE REPORTS:

FINANCE COMMITTEE:

Re: City Budget
Date: **October 15, 2012**
Time: 5:00 p.m.
Room 301

CHAIRMAN FRIEND

Discussion of Budget issues

FINANCE COMMITTEE:

Re: Ordinance G-2012-21
Date: October 22, 2012
Time: 5:00 p.m.
Notify: John Friend

CHAIRMAN JOHN FRIEND

Amending Chapter 2.25 of the Municipal Code
Adding Section 2.25.020 (Duties to report to City Council)

Re: Ordinance F-2012-15
Date: October 22, 2012
Time: 5:00 p.m.
Notify: DMD – Philip Hooper/Jane Reel

HOME Investment Partnerships

Re: Ordinance F-2012-17
Date: October 22, 2012
Time: 5:05 p.m.
Notify: Russell Lloyd, Controller

City of Evansville Budget for 2013

Re: Ordinance F-2012-18
Date: October 22, 2012
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Notify: Russell Lloyd, Controller

Port Authority Budget for 2013

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Date: October 22, 2012
Time: 5:05 p.m.
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Re: Resolution C-2012-26
Date: October 22, 2012
Time: 5:10 p.m.
Notify: Shance Sizemore (GAGE)

Confirming Resolution for Pioneer Development
Tax Phase-In

Re: Resolution C-2012-22
Date: October 22, 2012
Time: 5:15 p.m.
Notify: George Fithian/Carol McMichael

Fraternal Order of Police/City of Evansville
Agreement for Jan 1, 2013 to Dec. 31, 2015

Re: Resolution C-2012-23
Date: October 22, 2012
Time: 5:20 p.m.
Notify: DMD – Philip Hooper/Jane Reel

Ratifying the 2012 Consolidated Housing and
Community Development Annual Action Plan

Re: Resolution C-2012-24
Date: October 22, 2012
Time: 5:25 p.m.
Notify: Debby Dewey (GAGE)

Preliminary Tax Phase-In for Professional
Transportation 3700 E. Morgan Avenue

Re: Resolution C-2012-25
Date: October 22, 2012
Time: 5:25 p.m.
Notify: Debby Dewey (GAGE)

A Resolution in support of Economic Development
Incentives offered to Professional Transportation.

PUBLIC WORKS COMMITTEE:

Re: Ordinance G-2012-22
Date: November 12, 2012
Time: 5:25 p.m.
Notify: Krista Lockyear

CHAIRMAN DAN MCGINN

Petition to Vacate a part of Bennighof and
a part of Lodge Ave.

ADJOURNMENT

Councilman _____ moved and Councilman _____

seconded the motion to adjourn. Voice Vote. _____ So Ordered. _____

Meeting adjourned at _____ p.m.

Area Plan Commission Evansville-Vanderburgh County

TO: City Council

FROM: Blaine Oliver, CRS Coordinator *BO*

DATE: September 26, 2012

SUBJECT: Annual Multi-Hazard Mitigation Plan Progress Report

The attached progress report is being submitted to you fulfilling the requirements for the City of Evansville and Vanderburgh County's continued participation and re-certification in the National Flood Insurance Program's (NFIP) Community Rating System (CRS).

This report is required annually since the City and County adopted a Multi-Hazard Mitigation Plan in 2005 and 2012. The Plan contains a Floodplain Management Element, which is required for the continued participation by the City and County in the CRS program. This is a requirement due to the fact that the City and County both have more than 10 unmitigated repetitive loss properties each. The City and County received CRS credit for adopting the Plan, and it allows our community to be eligible for Homeland Security Mitigation Grants.

Now that we have a Plan, to be re-certified the City and County must file the attached report on our efforts to implement, evaluate, and update the Multi-Hazard Mitigation Plan. Failure to submit this report with the annual recertification would result in the loss of the 10 percent flood insurance premium discount that City and County residents and businesses currently enjoy thru the CRS program.

The attached annual report evaluates the progress toward implementing the listed action items. The format of the report follows the five requirements outlined in the 2007 CRS Coordinator's Manual.

Room 312 Administration Building
1 N. W. Martin Luther King, Jr. Blvd., Evansville, IN 47708
(812) 435-5226, Fax: (812) 435-5237
www.evansvilleapc.com

FILED

SEP 26 2012

Opelia Brown
CITY CLERK

2012

ANNUAL PROGRESS REPORT

for

**The Evansville - Vanderburgh County
including the Town of Darmstadt**

Multi-Hazard Mitigation Plan

with

Adoption of the Updated 2012 Plan

This Report and Distribution Memo fulfills
CRS Activity 510 Requirements for 2012 Recertification.

The Status of Updating
The Evansville-Vanderburgh County Multi-Hazard Mitigation Plan.

Updating the plan is required as part of the City and County's participation in the National Flood Insurance (NFIP) Community Rating System (CRS) program. The Emergency Management Agency (EMA) is the coordinating department. They have contracted with AMEC to facilitate and develop the plan update. AMEC produced the original plan in 2004 and the required 5-year update.

The updated plan was adopted by the
County Commissioners on August 28, 2012; signed document attached.
City Council on September 24, 2012; signed document attached
Town of Darmstadt is scheduled.

1. A description of how the evaluation report was prepared and how it was submitted to the governing body, released to the media, and made available to the public.

A. The progress report was coordinated and produced by Area Plan Commission staff. The content of the report was based upon discussion with and comments received from The department head of the lead office for each Action Item. The department heads for Lead office were also involved as part of the Hazard Mitigation Planning Committee (HMPC) in the preparation of the Multi-Hazard Mitigation Plan.

B. The progress report was submitted to the following:

- Hand delivered to the Common Council of the City of Evansville, the Mayor of the City of Evansville, the Board of Commissioners of Vanderburgh County;
- Mailed to the Town Board of Darmstadt of Vanderburgh County; and
- Faxed to the 1 print newspaper, 3 TV stations with local news, and 4 radio stations.

The report is also available to the public in the Area Plan Commission, Building Commission, and Emergency Management Agency offices; and on the Area Plan Commission website:
<http://www.evansvilleapc.com/>.

2. How the reader can obtain a copy of the original plan.

The Evansville-Vanderburgh County Multi-Hazard Mitigation Plan is available to the public in the following locations:

- In the Central / Downtown Branch of the Public Library;
- In the Area Plan Commission, Building Commission and Emergency Management Agency offices (paper and CD copies can be obtained); and
- On the Area Plan Commission website: <http://www.evansvilleapc.com/>.

3. A review of each action item, including a statement on how much was accomplished during the previous year.

4. A discussion of why any objectives were not reached or why implementation is behind schedule.

Evansville and Vanderburgh County has 211 service thru First Call For Help - United Way of Southwestern Indiana.

PENDING

GOAL #1: *IMPLEMENT A COMPREHENSIVE PUBLIC EDUCATION CAMPAIGN REGRADING THE HAZARDS POSING SIGNIFICANT RISK TO EVANSVILLE AND VANDERBURGH COUNTY.*

ACTION 1: *Develop and Conduct a multi-hazard, seasonal Public Awareness Program that provides citizens and businesses with accurate information describing the risk and vulnerability to natural hazards, and is implemented on an annual basis.*

LEAD: Vanderburgh County Emergency Management Agency (EMA)

SCHEDULE: Ongoing continuously.

STATUS: EMA continues to:

- educate the public on the appropriate office or point of contact for hazard information;
- distribute Multi-Hazard Information and Emergency Preparedness pamphlets to residential sectors, specifically noting Habitat for Humanity; Local Apartment Associations; Realtor Association; Neighborhood Associations; Evansville Housing Authority; and the Town of Darmstadt;
- coordinate with Safety Activities at local businesses.
- coordinate with local churches for emergency planning and preparedness;
- utilize the Main Library as a distribution location for multi-hazard information and access point for digital/technology information;
- educate the local television, radio, and newspaper media on Multi-Hazard information, specifically noting driver safety education.

GOAL #2: *REDUCE EXPOSURE TO HAZARD RELATED LOSSES, BEFORE AND AFTER DISASTER STRIKES*

ACTION 2: *Incorporate the Hazard Identification and Management Strategies into the next update of the Evansville and Vanderburgh County Comprehensive Plan.*

LEAD: Evansville-Vanderburgh County Area Plan Commission

SCHEDULE: Comprehensive Plan is scheduled for an update in 2013.

Has been written into the draft, schedule for public hearings and adoption pending.

STATUS: To be incorporated after the Multi-Hazard Mitigation Plan is updated.

FLOODING

ACTION 3: *Develop Countywide Storm Water Master Plan to provide relief from run-off and flooding resulting from rainfall events.*

LEAD: Vanderburgh County Engineer

SCHEDULE: As funding becomes available.

STATUS: Specific drainage basin studies had been completed but overall county plan is anticipated due to the lack of funding.

or remove trees in the City of Evansville. Free classes are given four times a year. Additional information is available on the Urban Forestry Department page of the City of Evansville's website (<http://evansvillegov.org/>); click government then city offices and departments.

ACTION 20: *Continue to investigate potential for and locations of community level tornado safe rooms. Potential sites are located throughout Vanderburgh County, including the City of Evansville and the Town of Darmstadt.*

LEAD: Building Commission, Vanderburgh County Emergency Management Agency

SCHEDULE: As funding becomes available.

STATUS: As funding becomes available.

GOAL #3: UTILIZE LATEST TECHNOLOGY AND DATA

ACTION 21: *Purchase and install stream gages and water table gages to provide flood-warning capabilities.*

LEAD: USGS

SCHEDULE: As Federal funding becomes available.

STATUS: We continue to be in contact with USGS about the National Stream Flow Information Program with the continued potential to install a monitoring gage on Pigeon Creek.

ACTION 22: *Investigate the potential for utilizing a mass e-mailing system for information distribution regarding multi-hazard information.*

LEAD: Vanderburgh County Emergency Management Agency

SCHEDULE: Within the next five years.

STATUS: As funding becomes available.

ACTION 23: *Expand warning siren coverage into new areas as development and housing expand.*

LEAD: Vanderburgh County Emergency Management Agency

SCHEDULE and STATUS: As funding allows.

5. Recommendations for new projects or revised recommendations.

Related to Action # 1 - Print six copies of the Multi-Hazard Mitigation Plan to increase public access to the Plan. The proposed distribution would be to the McCollough (eastside), Oaklyn (northside), and Red Bank Road (westside) Branches of the Public Library, University of Evansville, Ivy Tech, and University of Southern Indiana Libraries.

Mitigation Category: Public Information

Lead: Evansville-Vanderburgh County Area Plan Commission

Priority (H, M, L): High

Cost Estimate: Existing budgets

Community Benefit: Increase public access to the Multi-Hazard Mitigation Plan

Potential Funding: None necessary within existing budgets

Schedule: This will be done as part of producing the updated plan.

Community Benefit: *SAME –*

Life-Safety; Continued community development within historical districts

Potential Funding: New - Local, state and federal sources

Schedule: *To be further reviewed and discussed in the Multi-Hazard Mitigation Plan update.*

New Action Item: Bridging the goals of public education and reducing hazard losses, the Community Emergency Response Team (CERT) training program has been established. Currently there are CERT trained people in organized by zip code, business, and University of Southern Indiana teams.

Mitigation Category: Public Education and Training

Lead: Emergency Management Agency

Priority (H, M, L): High

Cost Estimate: Staff time / business and State Government in-kind contributions / other sources

Community Benefit: Through CERT training, residents enhance their individual and team's ability to prepare for, respond to, recover from, and mitigate against a disaster situation.

Potential Funding: As it becomes available

Schedule: As funding permits

Status: *To be further reviewed and discussed in the Multi-Hazard Mitigation Plan update.*



**BOARD of
COMMISSIONERS**
of the County of Vanderburgh

Marsha Abell

Joe Kiefer

Stephen Melcher

August 28, 2012

To Whom It May Concern:

Adoption of the Evansville-Vanderburgh County Multi-Hazard Mitigation Plan

The Vanderburgh County, Board of County Commissioners recognize the threats that natural hazards pose to people, personal property, businesses and infrastructure within our community. Vanderburgh County has undertaken hazard mitigation actions intended to reduce the potential for harm to people, personal property, businesses and infrastructure from future hazard occurrences. One of our actions is keeping the City-County Multi-Hazard Mitigation Plan up to date as required for continued participation in the National Flood Insurance Program's Community Rating System. City and County staff fully participated in the mitigation planning process to prepare this 5-year update of the City-County Multi-Hazard Mitigation Plan.

The Indiana Department of Homeland Security and Federal Emergency Management Agency, Region V, officials have reviewed the City of Evansville-Vanderburgh County Multi-Hazard Mitigation Plan and approved it contingent upon its adoption by the participating governing bodies. Adoption of a Multi-Hazard Mitigation Plan is required as a condition of future funding for mitigation projects under multiple FEMA pre-and post-disaster mitigation grant programs.

For your information, the Board of County Commissioners of Vanderburgh County officially adopted the multi-hazard mitigation plan as its official plan on August 28, 2012.

Sincerely,

Marsha Abell
President

Joe Kiefer
Vice-President

Stephen R. Melcher
Member

Resolution # C-2012-19

COMMITTEE: A.S.D.
CHAIRWOMAN MOSBY

**Adoption of the City of Evansville-Vanderburgh County
Multi-Hazard Mitigation Plan**

Whereas, the Common Council for the City of Evansville recognizes the threats that natural hazards pose to people, personal property, businesses, and infrastructure within our community; and

Whereas, the City of Evansville, The Town of Darmstadt, and Vanderburgh County, has undertaken hazard mitigation actions intended to reduce the potential for harm to people, personal property, businesses, and infrastructure from future hazard occurrences; and
Whereas, the U.S. Congress passed the Disaster Mitigation Act of 2000 ("Disaster Mitigation Act") emphasizing the need for pre-disaster mitigation of potential hazards; and

Whereas, the Disaster Mitigation Act made available hazard mitigation grants to state and local governments;

Whereas, an adopted Multi-Hazard Mitigation Plan is required as a condition of future funding for mitigation projects under multiple FEMA pre- and post-disaster mitigation grant programs; and

Whereas, the City of Evansville, The Town Darmstadt, and Vanderburgh County, fully participated in the FEMA-prescribed mitigation planning process to prepare this Multi-Hazard Mitigation Plan; and

Whereas, one of our actions is keeping the City – Town - County Multi-Hazard Mitigation Plan up to date is also required for continued participation in the National Flood Insurance Program's Community Rating System; and

Whereas, City, Town, and County staff fully participated in the mitigation planning process to prepare this 5-year update of the City- Town-County Multi-Hazard Mitigation Plan; and

Whereas, the Indiana Department of Homeland Security and Federal Emergency Management Agency, Region V, officials have reviewed the Multi-Hazard Mitigation Plan and approved it contingent upon its adoption by the participating governing bodies; and

Now, therefore, be it resolved, that the Common Council for the City of Evansville, Indiana hereby adopts the City of Evansville-Town of Darmstadt-Vanderburgh County Multi-Hazard Mitigation Plan as its official plan; on
this ____ th day of September 2012

FILED

SEP 05 2012

Opama Brown
CITY CLERK

City of Evansville Service Agreement #2

Between
The City of Evansville
And
Mark Rolley Consulting, Inc.

1.1 Overview

Mark Rolley Consulting, Hereafter "MRC", is currently under a support agreement with the City of Evansville and Vanderburgh County, hereafter "The Client". Under the terms of the Master Support agreement, it allows for additional services to be provided under a new service agreement. The City of Evansville has need of additional services separate from Vanderburgh County and wishes to enter this service agreement with MRC. The terms, conditions, and compensation are solely between the City of Evansville and MRC as it pertains to this service agreement.

This document is subject to the terms and conditions of the Master Agreement entered into between the Client and MRC on the 21st day of September 2006 and renewed on February 24th 2011. This agreement shall be solely between the City of Evansville and MRC.

All terms defined within the Master Agreement shall have the same meaning within this Service Agreement.

1.2 Business liaison / Full Time Equivalent (FTE)

This service enhancement agreement is for providing a full time equivalent, hereafter "FTE" person to coordinate, manage and otherwise oversee the implementation and ongoing administration of the City's new "Enterprise Resource Planning" application from Tyler Technologies, Inc. As an FTE, this person will also be needed to perform other duties that fall within the overall spirit of services that MRC provides for the client. This service shall be done in a professional manner as can best be done by the individual providing the service. This position will not be subject to any service levels that are defined for the Service Level Agreement (SLA) positions in the MRC support agreement nor have any certification or education level requirement. This position will have to have good communication and organizational skills, maintain a professional attitude and abide by MRC's continuing education policy.

1.3 Training

The Client will have the option to require the FTE person to attend various training classes that will help the FTE person develop the necessary skills to fulfill this Service Agreement.

One example would be for the FTE to participate in training for The Clients ERP software product. This would make the FTE more knowledgeable about the product and therefore able to be of more assistance to The Client.

The Client agrees to provide all cost associated with any training that they may require including travel and per diem expenses should they exist.

All training will be scheduled with MRC.

PAYMENT SCHEDULE

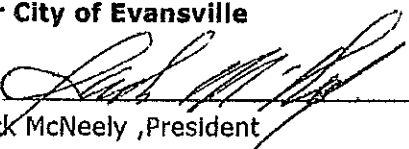
City Payment Table


The compensation for this service agreement is reflected in this payment table. MRC shall add this amount to its monthly invoice to the City.

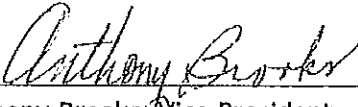
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2011	\$0.00	\$0.00	\$0.00	\$0.00	\$2283.46	\$7,083.33	\$7,083.33	\$7,083.33	\$7,083.33	\$7,083.33	\$7,083.33	\$7,083.33	\$49,583.31
2012	\$7,265.83	\$7,265.83	\$7,265.83	\$7,265.83	\$7,265.83	\$7,265.83	\$7,265.83	\$7,265.83	\$7,265.83	\$7,265.83	\$7,265.83	\$7,265.83	\$87,549.98
2013	\$7,514.70	\$7,514.70	\$7,514.70	\$7,514.70	\$7,514.70	\$7,514.70	\$7,514.70	\$7,514.70	\$7,514.70	\$7,514.70	\$7,514.70	\$7,514.70	\$90,176.40
2014	\$7,740.15	\$7,740.15	\$7,740.15	\$7,740.15	\$7,740.15	\$7,740.15	\$7,740.15	\$7,740.15	\$7,740.15	\$7,740.15	\$7,740.15	\$7,740.15	\$92,881.75
2015	\$7,972.35	\$7,972.35	\$7,972.35	\$7,972.35	\$7,972.35	\$7,972.35	\$7,972.35	\$7,972.35	\$7,972.35	\$7,972.35	\$7,972.35	\$7,972.35	\$95,668.20
2016	\$8,211.52	\$8,211.52	\$8,211.52	\$8,211.52	\$8,211.52	\$8,211.52	\$8,211.52	\$8,211.52	\$8,211.52	\$8,211.52	\$8,211.52	\$8,211.52	\$98,538.25


The undersigned each represent and warrant that s/he is authorized to execute this document on behalf of the respective party and any and all actions necessary for this to constitute the valid and binding act of the respective party have occurred.

for City of Evansville

By 
 Jack McNeely, President
 Evansville Board of Public Works

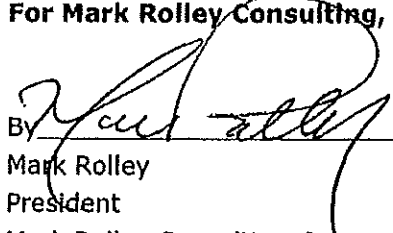
By 
 Matthew Alexander, Member
 Evansville Board of Public Works

By 
 Anthony Brooks, Vice President
 Evansville Board of Public Works

Attested By 
 Sharon A. Evans, Secretary
 Evansville Board of Public Works

Effective Date July 21, 2011

For Mark Rolley Consulting, Inc.

By 
 Mark Rolley
 President
 Mark Rolley Consulting, Inc.